

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF NORTH CAROLINA
Durham Division**

VICTOR VOE, *et al.*,

Plaintiffs,

v.

Civil No. 1:23-cv-864

THOMAS MANSFIELD, *et al.*,

Defendants.

DECLARATION OF VANESSA VOE

I, Vanessa Voe, pursuant to 28 U.S.C §1746, declare as follows:

1. I make this declaration based on my own personal knowledge, and, if called as a witness, I could and would testify competently to the matters stated herein.
2. I am 38 years old. My husband, Vance Voe, and I are the parents of Victor Voe, our 9-year-old son, and our 5-year-old daughter. Our family lives in Durham County, North Carolina, a state that we have called home for over 9 years.
3. I work in healthcare and my husband is a software engineer. We have been married for 12 years, and our family's life is deeply embedded in North Carolina. Vance was born in North Carolina, and I attended graduate school and am licensed to practice healthcare in the state. We have several family members in North Carolina, and a wonderful community of friends, including many who are close enough to claim as unofficial family members and who have helped us raise our two children.

4. Our son Victor is a smart, curious, and kind child. He is close with his family and enjoys spending time with his friends. He loves playing video games, a recent favorite being The Legend of Zelda: Tears of the Kingdom. He is passionate about music and just began taking guitar lessons, and he hopes to study hard enough in school to become a marine biologist when he grows up.

5. Victor is transgender. He was assigned a female sex at birth, but at a young age, he let his dad and me know that his gender identity is not female. When he was three years old, Victor asked us if we could stop using “she” and “her” pronouns for him and told us that he did not feel like a girl. We asked Victor what pronouns felt best for him at that time. Victor said that he would like us to use “they” and “them” pronouns.

6. After a few years of exploring and better understanding his identity, just before the Christmas holiday in 2019, Victor let Vance and me know that he is a boy and that he would like to use “he” and “him” pronouns. The conversation did not come as a surprise as Vance and I were acutely aware of things that made Victor feel uncomfortable and things that made him feel affirmed in who he is. Victor would become visibly upset when people referred to him using “she” and “her,” and would say “they don’t see me.” He began wearing boy’s clothes, got a short haircut, and made friends with mostly boys in his class. He had been asking us for boxer briefs for months, and we finally bought them for him. Victor was overjoyed when they arrived, tried on every single pair, and wore them around the house, laughing and beaming.

7. That Christmas, when Victor felt confident in sharing his true self with us, we thanked Victor for letting us know. When we began using “he” and “him” pronouns, he was visibly excited that we were doing so. Over the next few months, we kept checking in with him to see how those pronouns felt, and he kept affirming that we should continue using them.

8. Since then, our family has acknowledged Victor as the boy he is, and Vance and I told our close relatives and friends about his identity as well. Victor’s aunts, uncles, grandparents, and cousins all use his new name and pronouns, and we are grateful to have support within our extended family.

9. Victor was 5 years old and in kindergarten at the time of that conversation, and Vance and I began discussing how to ensure that Victor could be himself at school. However, the second half of Victor’s school year was impacted by the COVID-19 pandemic in the Spring of 2020. Despite the change in his learning environment, Victor was ready to be acknowledged as a boy at school. Vance and I spoke with Victor’s first grade teacher about his transition before he started the school year, and a few months into the year, Victor felt comfortable enough to announce to his class that he was changing his name.

10. Victor’s elementary school has been supportive of him and acknowledges him as the boy he is. In 2021, when Victor went back to school in-person for his second grade, Vance and I were able to meet with Victor’s counselor, a school administrator, and his teacher to create a gender support plan to make sure that he feels safe and comfortable

at school. Thus far, Victor has not had any issues at school, as he is able to use the boy's bathroom, and his teachers and peers call him "Victor" and refer to him using "he" and "him" pronouns, though not all his current teachers and peers are aware that he is transgender. Since returning to school as the boy he is, we have noticed a change in his demeanor that was not there when he was attending school pre-transition. Before transitioning, he did not talk much with others, and was easily upset, especially in group settings. Now, he is a much more confident child, calmer and happier, and makes friends very easily.

11. Victor has been seeing a mental health provider since May of 2021. Victor was evaluated for and diagnosed with gender dysphoria by his therapist. Victor continues to see this provider once a month.

12. At the start of 2023, when Victor started to approach adolescence, Vance and I spent time talking with him about puberty and read him children's books that explain how puberty works. Victor's anxiety around potentially going through female puberty was palpable. We took Victor to see a doctor who specializes in working with transgender people, and they recommended that we connect with the gender clinic at Duke University to discuss our options for Victor's care, which was the same recommendation made by Victor's therapist.

13. In March of 2023, one month after Victor had turned 9, Vance and I took him to meet with a team of providers at Duke Child and Adolescent Gender Care Clinic. They conducted blood work to monitor Victor's hormone levels and took x-rays of his hands and

wrists to assess bone age and growth. At that appointment, the doctor let us know that based on a physical exam, Victor showed early signs of puberty. Based on Victor's lab work, the doctor let us know that although his puberty has not begun and he is not ready to start treatment, he needs to be monitored closely as it is possible that he will need to start treatment sooner than the lab work indicates. Our family had the opportunity to ask questions about puberty-delaying treatment, and to learn about how it would impact his body and the various associated risks, such as impact on fertility.

14. Vance and I have engaged in lengthy discussions about what medical care would look like for Victor. We did our own research, spoke to other families with transgender children, spoke with Victor's therapist, and talked with Victor. Ultimately, we know that medical care is the best option for Victor to continue to live as his true self.

15. Although Duke scheduled a follow-up appointment for us in October to continue monitoring his hormone levels, in August, the clinic let us know that they would not be able to prescribe puberty-delaying treatment to Victor once he was ready due to H.B. 808 taking effect.

16. Victor is counting down the days until he can access this care because the thought of going through his endogenous puberty is so scary for him. In our conversations, he has expressed that he is terrified of going through "the wrong puberty" and that he is "just a boy" who wants to be acknowledged as such.

17. Prior to his name being legally changed, we would visit healthcare providers who still referred to Victor by his deadname (name assigned at birth) because that is what

was reflected in his records. It was painful to see Victor tear up and stop talking, and Vance and I would have to console him for a long time each time that happened. In April of this year, Victor was able to legally change his name to “Victor” and update his birth certificate to reflect his legal name and male gender marker. We have applied for a corrected passport and plan to update his Social Security card soon. He is thrilled to no longer hear his deadname at those appointments and is eagerly anticipating his identity documents reflecting his name and gender marker accurately.

18. Vance and I are also members of PFLAG (“Parents, Families, and Friends of Lesbians and Gays”), which is also a plaintiff in this case, and have taken many steps to build a community of support around Victor and our family in North Carolina.

19. Victor is generally able to live as the boy he is in every aspect of life. However, with his puberty quickly approaching, and with a ban on access to the essential gender-affirming medical care that he will need soon, Victor’s anxiety is growing.

20. When Vance and I first learned about H.B. 808, we were immediately consumed by fear that Victor would not be able to access the care that he needs in the state we call home. Not only would there be devastating harm to Victor’s mental health from not being able to access the healthcare he requires, but there would also be irreversible physical harm as he would experience a puberty completely foreign to him and inconsistent with his gender. As a mother, I could not bear to witness my child go through physical changes that will profoundly harm him.

21. Vance and I have also discussed what this law could mean for our family's future. We do not want to leave North Carolina, as Vance and I have built our family, careers, and community in this state. However, we are overwhelmed at the thought of bearing the long-term financial costs associated with leaving our state to access care for Victor (traveling hours by either plane or car and taking time off work and school) given that Victor will be subject to the law that prevents him from accessing life-saving health care for 9 more years.

22. Our lives will be turned upside down should this law bar Victor from this critically important care, and for Victor's sake, we hope he can get the care he needs in the state our family has put down roots in.

* * *

I declare under the penalty of perjury that the foregoing is true and correct.

Dated: October 6, 2023



VANESSA VOE